

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CROSS ATLANTIC CAPITAL PARTNERS, INC., **CIVIL ACTION**

Plaintiff,

NO. 07-CV- 02768-JP

v.

FACEBOOK, INC. and THEFACEBOOK, LLC,

ORAL ARGUMENT REQUESTED

Defendants.

FACEBOOK MOTION NO. 2

**STATEMENT OF MATERIAL FACTS IN SUPPORT OF FACEBOOK'S MOTION FOR
SUMMARY JUDGMENT OF INEQUITABLE CONDUCT**

[REDACTED VERSION FOR PUBLIC FILING]

(Unredacted version filed separately under seal pursuant to Protective Order)

**FACEBOOK'S STATEMENT OF MATERIAL
FACTS IN SUPPORT OF FACEBOOK'S MOTION FOR
SUMMARY JUDGMENT OF INEQUITABLE CONDUCT**

(ENTIRE DOCUMENT FILED UNDER SEAL)

CERTIFICATE OF SERVICE

This is to hereby certify that on this 20th day of June, 2008, I caused a true and correct copy of this Statement of Material Facts in Support of Facebook's Motion for Summary Judgment of Inequitable Conduct to be served *via* this Court's Electronic Filing ("ECF") System, upon the following:

Frederick A. Tecce, Esq.
McShea/Tecce, P.C.
The Bell Atlantic Tower – 28th Floor
1717 Arch Street
Philadelphia, PA 19103
ftecce@mcshea-tecce.com

Thomas J. Duffy, Esq.
Patrick J. Keenan, Esq.
Duffy & Keenan
One Liberty Place, 55th Floor
1650 Market Street
Philadelphia, PA 19103
pjk@duffykeen.com

Counsel for plaintiff
Cross Atlantic Capital Partners, Inc.

/s/ Heidi L. Keefe
Heidi L. Keefe